



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin
Director

June 8, 1988
AO-88-21

Marc Caplan
Executive Director and Attorney
Northeast Coalition Project
Region 9A
UAW
111 South Road
P.O. Box 1247
Farmington, CT 06034

Dear Mr. Caplan:

This letter is in response to your request for an advisory opinion. You have inquired as to the applicability of M.G.L. c.55 to the formation and operation of a political committee (the "Committee"), whose membership would be comprised of at least 20 equal-voting members, including other political committees, labor unions, non-profit organizations and a small number of individuals.

You have stated that the political committees and individuals who belong to the Committee will contribute no more than \$1,000 in funds and things of value to the Committee in any calendar year, and that no one committee or person will contribute more than a small percentage of the Committee's budget. The unions and non-profit corporations that belong to the Committee will not make any financial contribution nor will they contribute membership lists or anything else of value to the Committee.

The Committee will be organized as a multi-candidate political committee to assist candidates for office by providing them with in-kind assistance up to the limit allowed by state campaign finance law. These in-kind contributions will be made to the candidates' committees. The Committee does not plan to make any contributions to other political committees.

Section 5 of M.G.L. c.55 states in part, that "each political committee shall organize by filing with the director a statement of organization [which] shall include ... the name of the political committee ... the address of the political committee ... a statement of the purpose for which the political committee is organized ... the name and residential address of the chairman and the

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treasurer." Section 5 also states that "each political committee shall have a treasurer who shall qualify for his office by filing a written acceptance thereof with the director ... No person acting under the authority of, or on behalf of, any political committee shall receive any money or anything of value, or expend or disburse the same, or incur expenses while it has no treasurer qualified as aforesaid ..." Provided the committee has a treasurer and a chairman as required by section 5 and otherwise meets the requirements of M.G.L. c.55, it is the opinion of this office that the Committee may be formed and operated as you have described.

Section 7 of M.G.L. c.55 states, in part, that the limitations set forth in such section would apply to "all campaign contributions made by political committees established, financed, maintained or controlled by any person, including any parent committee of a subsidiary committee or any person other than a natural person," and that such contributions "shall be considered to have been made by a single political committee."


Based on the representations made in your letter and provided no common control could be attributed among the various political committees, individuals, labor organizations and non-profit entities comprising the membership of the Committee, it is the opinion of this office that the Committee's contributions as a multi-candidate committee to various candidates would not appear to be subject to the above-cited provision of Section 7.

We would also alert you to the requirement that all political committees organized outside of Massachusetts must file under and meet the requirements of M.G.L. c.55 prior to contributing anything of value to a political committee organized in Massachusetts. I have included a copy of Interpretative Bulletin 101 for your information.

This opinion has been rendered solely on the basis of the representations made in your letter and solely in the context of M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions.

Very truly yours,


Dennis J. Duffin
Director